

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EMMANUEL C. MPOCK,

Plaintiff,

v.

FCA US, LLC,

Defendant.

No. 1:21-cv-00330-NONE-SAB

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. Nos. 11, 25)

On March 27, 2020, plaintiff Emmanuel Mpock, who is represented by counsel, initiated this action against FCA and Central Valley in the Los Angeles Superior Court. (Doc. No. 1-2.) On February 2, 2021, plaintiff dismissed Central Valley from this action. (Doc. No. 1-6.) On March 4, 2021, FCA, as sole remaining defendant, removed this action to this federal court. (Doc. No. 1.) On April 30, 2021, plaintiff filed a motion to remand the case to state court. (Doc. No. 11.)

On November 17, 2021, the assigned magistrate judge issued findings and recommendations recommending that the motion for remand be denied. (Doc. No. 25.) The parties were granted fourteen (14) days in which to file objections to the findings and recommendation. (*Id.*) On December 1, 2021, plaintiff filed objections to the findings and recommendations, which have been considered by the court. (Doc. No. 26.) Defendant responded to those objections on December 14, 2021. (Doc. No. 28.)

1 Plaintiff's objections restate arguments considered and addressed in the pending findings
2 and recommendations and those objections fail to establish any flaws with the magistrate judge's
3 reasoning. In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has
4 conducted a *de novo* review of the case. The court finds that the recommendation is supported by
5 the record and proper analysis.¹

6 Accordingly,

- 7 1. The findings and recommendations issued November 11, 2021 (Doc. No. 25) are
8 adopted; and
9 2. Plaintiff's motion to remand (Doc. No. 11) is denied.

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11 IT IS SO ORDERED.

12 Dated: **December 15, 2021**

13 
14 UNITED STATES DISTRICT JUDGE

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28 ¹ The court notes that the citizenship of defendant FCA US, as a limited liability company, is that
of its members. *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006).